

REMARKS**I. Status**

The Office Action indicates claims 1-13, 16, and 18-29 to be pending in this Application. With this response, claims 1, 18, 20, and 22-24 are amended. No new matter has been added.

Claims 1, 18, 20, and 22-24 are rejected under 35 U.S.C. 112, first paragraph.

Claims 1, 18, 20, and 22-24 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-13, 16, 18, and 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandes (U.S. Patent No. 6,920,327) in view of Dorenbosch (U.S. Patent Application Publication No. 2004/0028009).

Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandes in view of Dorenbosch and Grilli (U.S. Patent Application Publication No. 2003/0002525).

Claims 1, 18, 20, and 22-24 are independent.

II. Amendment of Independent Claims 1, 18, 20, and 22-24

With this response the Applicant amends claims 1, 18, 20, and 22-24. No new matter has been added.

The Applicant respectfully submits that the cited references, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... determining to maintain to communicate, with completion of said handover, traffic via an uplink connection of the digital generally bi-directional communications

service, wherein the traffic was communicated, prior to said handover, via the same uplink connection"

as set forth in claim 1 as amended herewith (emphasis added), and as similarly set forth in each of claims 22 and 23 as amended herewith.

As another example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

"... determining to maintain to communicate, with completion of said handover, traffic via an uplink connection of the cellular mobile data communication domain, wherein the traffic was communicated, prior to said handover, via the same uplink connection"

as set forth in each of claims 18 and 20 as amended herewith (emphasis added).

As an additional example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

"... determine to maintain to communicate, with completion of said handover, traffic via an uplink connection of the digital generally bi-directional communications domain, wherein the traffic was communicated, prior to said handover, via the same uplink connection"

as set forth in claim 24 as amended herewith (emphasis added).

The Office Action indicates that Brandes and Dorenbosch, taken in combination, provide that which is set forth by claims 1, 18, and 22-24 prior to the amendment herewith and that Brandes, Dorenbosch, and Grilli, taken in combination, provide that which is set forth by claim 20 prior to the amendment herewith, the Office Action seeming to contend that Brandes discloses data traffic continuing despite handover such that no data loss occurs, with the data traffic being uplink data traffic, and that Dorenbosch teaches that uplink data traffic can be of a digital generally bi-directional communications service.

However, even if such views were, for the sake of argument, taken to be valid, the cited references, taken individually or in combination, would still fail, for instance, to disclose, teach, or suggest that such uplink data traffic continues despite handover via the same uplink connection employed for the uplink data traffic prior to the handover.

Turning to the rejections under 35 U.S.C. 112, the Applicant notes that the Office Action rejects claims 1, 18, 20, and 22-24 under 35 U.S.C. 112, first paragraph and under 35 U.S.C. 112, second paragraph.

The Office Action states with respect to various of that which is set forth by the claims that “the specification does not describe the claimed feature,” and states that “[i]t appears that some critical steps are missing in the claimed language, which makes the claims indefinite.”

The Applicant respectfully disagrees. Nevertheless, to facilitate prosecution with this response the Applicant amends claims 1, 18, 20, and 22-24. No new matter has been added. The Applicant respectfully submits that claims 1, 18, 20, and 22-24, at least with the amendments herewith, are in compliance with 35 U.S.C. 112, and respectfully requests that the rejections be withdrawn.

In view of at least the foregoing, the Applicant respectfully submits that claims 1, 18, 20, and 22-24 at least as amended herewith, as well as those claims that depend therefrom, are in condition for allowance.

III. Dependent Claims

The Applicant does not believe it is necessary at this time to further address the rejections of the dependent claims as the Applicant believes that the foregoing places the independent claims in condition for allowance. The Applicant, however, reserves the right to

further address those rejections in the future should such a response be deemed necessary and appropriate.

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CONCLUSION

The Applicant respectfully submits that this application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 504827, Order No. 1004289.247US (4208-4281).

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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By:



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